IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 3RD NOVEMBER 2006 / 12TH KARTHIKA 1928

Bail Appl..No. 6493 of 2006

CRIME NO.700/2006 OF KUNDARA POLICE STATION

PETIITONERS/ACCUSED

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1. SANTHOSH, (2ND ACCUSED),
   S/O.NEPOLEON, CHAMAVILA VADAKKATHIL,
   MULAVANA VILLAGE, PERAYAM, KOLLAM.

2. SUNNY (3RD ACCUSED),
   S/O.ALFRED, LEELASANAM,
   MULAVANA VILLAGE, PERAYAM, KOLLAM.

3. JOHNSON @ JOHNY, (5TH ACCUSED),
   S/O.PATHROSE, SAJOVILASAM, MULAVANA VILLAGE,
   PERAYAM, KOLLAM.

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.RENJITH B.MARAR
SRI.DILEEP P.PILLAI
SMT.LAKSHMI RANJITH
SRI.T.K.SUJITH

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA, REPRESENTED
BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6493/2006

DATED THIS THE 3RD DAY OF NOVEMBER, 2006

O R D E R

The petitioners are accused Nos. 2, 3 and 7 in crime No.700/2006 of Kundara Police Station, for the offence punishable under Sections 143, 147, 148, 452 and 506(ii) IPC read with Section 149 IPC and also under Section 27 of the Arms Act.

2. The prosecution alleges that on 5.8.2006 at 3.00 a.m., because of the previous enimity, the accused, eleven in number, had trespassed into the premises of the defacto complainant with dangerous weapons and committed rioting and thus caused damages to the windows and doors, worth Rs.17,000/-. The accused Nos. 1, 4, 8 and 10 were already arrested and they had been interrogated. The petitioners are before this Court, under Section 438 Cr.P.C.

3. Considering the submissions made by either side, I direct the petitioners to surrender before the

Investigating Officer, in crime No.700/2006 of Kundara Police Station, on 13.11.2006 at 10.00 a.m.

4. The Investigating Officer shall interrogate the petitioners and thereafter, produce them before the Court below, according to the law.

5. The learned Magistrate shall hear both sides and pass appropriate orders on merit, on the date of production itself.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs